

To The City Council of the City of Greensboro

Subject: Recommendation that Some of the Background Leading to Police Chief David Wray's Resignation be Released to the Public

As you know, the City Manager's office received complaints regarding Chief Wray's administration from numerous African-American officers, 8-10 officers of all races and genders and ranks up to Assistant Chiefs and from outside enforcement agencies. After reviewing their concerns, I asked the City Attorney's office and an outside consultant firm with expertise in law enforcement to conduct an intensive investigation into the allegations made by these different groups. After conducting some 62 interviews, the team issued a report to me on December 21, 2005.

On January 6, I met with Chief David Wray to discuss concerns arising from the investigative report commissioned by the City concerning activities of Chief Wray and his department and subordinates. I informed the Chief that I would like to hear his response to the concerns on Monday morning, January 9. I explained to him that if, after hearing and considering his response, my confidence in him was not completely restored, I would suspend him with pay pursuant to City personnel procedure while continuing personal review of source documents. As is protocol in these types of procedures in the Police Department, I secured his office to ensure that files were protected from anyone who might have access. On January 9, the Chief had his resignation delivered at 8:20 AM rather than allowing me to finish the proceeding.

The reporting of the investigation and the existence of the report has raised serious and continuing concerns among the residents of the city. These concerns expressed in the media and in other city forums have the potential of undermining the public's confidence in the Police Department.

In my opinion, it is imperative that certain of the report's conclusions and findings be released to the public to restore and maintain its confidence in the administration of local law enforcement. With the concurrence of the City Council, I propose to release from the report the following information and a general description of the actions of the City Manager regarding Chief Wray in the last three weeks:

1. Chief Wray misled, or failed to properly inform, the City Manager, the City Council, and others within the City administration with a need to know, that Lieutenant James Hinson's possible involvement with subjects of a combined investigation conducted by local, state, and federal law enforcement agencies had been reviewed and determined to be without merit prior to 2005. In addition, Chief Wray provided information asserting such an investigation was ongoing and that the lead agencies had just approved his ability to "move on" information provided by said investigation at a press conference last summer (June 17, 2005) and never publicly corrected that assertion. The Chief failed to notify the City Manager at any point that Lt. Hinson had been cleared of any criminal liability in 2003 and cleared by Internal Affairs in 2004. Furthermore, the Chief knew the night before the above-referenced press

conference that there was nothing to support a criminal investigation of Hinson related to information produced by the combined investigation. To date, Chief Wray has never informed the City Manager of these facts. During the investigation of Lt. James Hinson, the Guilford County District Attorney requested that any future criminal investigation of Hinson be referred to the State Bureau of Investigation. This request was not communicated to the City Manager.

2. The often discussed "Black Book"—which contained pictures of African American officers, prepared and used in response to victim complaints—may have been a legitimate investigative tool and the Chief described the possible existence of this sort of document to the City Manager in theory stating that he was unaware of any actual document that fit the description provided to the media by black police officers. However, when the book became known to the public, Chief Wray instructed a subordinate to hide and secure the book and did not inform his superior of its true existence and actual purpose. This act, and failure to act, caused much inaccurate information and confusion within the Manager's office and among the residents of Greensboro.
3. The Special Intelligence Section, or members therein, of the Greensboro Police Department were not operating within the normal chain of command and failed to follow established departmental rules and procedures. The activities of this unit and its continued pursuit of unproven, previously investigated, and unsubstantiated charges against certain African American officers created an atmosphere of fear, distrust, and suspicion, which undermined the department's morale and efficiency. The Chief allowed this unit to continue these tactics despite from credible representatives of outside law enforcement agencies.
4. There is also evidence that during conversations with certain persons Chief Wray disclosed information contrary to the Personnel Privacy Act and inappropriately negotiated with the Police Officers' Association.

It is my intention to provide the media with the information contained in this memorandum immediately upon Council's approval. In addition, I will discuss the actions taken by the City Manager and the rationale for each of those actions up to and including the facts surrounding the Chief's resignation of Monday, January 9, 2006.